



*Save Nosey Now
2680 Bobcat Trail
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March 10, 2022

Honorable Members of the Connecticut House of Representatives
Environmental Committee

Via email: envtestimony@cga.ct.gov

Dear Honorable Environmental Committee Members:

Thank you for the opportunity to provide public input in support of HB 5293, an Act Prohibiting the Use of Wild or Exotic Animals in Traveling Animal Acts. SNN is a 501 (c) (3) federally registered non-profit that works to promote the retirement of performing and captive elephants to sanctuary. SNN has spent extensive time observing and documenting the exhibition of elephants at venues across the United States, including Connecticut. The current federal regulatory scheme employed by the USDA APHIS fails to ensure humane handling, care, treatment, and transportation of captive elephants and other wild exotic animals used in traveling acts or address the significant risk of exposing the public, even allowing direct contact, with wild dangerous animals. Growing numbers of States and local governments across the United States are enacting legislation like HB5293 to stop the put an end to the

It is simply not possible for captive elephants to be forced and physically coerced into submitting to being ridden without causing proven physical and psychological harm to the elephants and there is a myriad of published peer reviewed science to prove it. Nor is it possible for the public to have direct contact with elephants, for example during elephant riding, without putting the public at grave risk. **SNN encourages the Environmental Committee members to take a stand to protect animals and the safety of the public by supporting HB 5293.** Below is a summary of a few of the many reasons to support HB5293, including but not limited to:

- the scientifically documented negative impacts to elephant's health, safety and welfare from the conditions of confinement, travel and exhibition;
- physically abusive aversive training universally used to force elephants to submit to riding and "free contact" handling (with bullhook);
- the prevalence of documented abnormal behavior exhibited by the elephants used in traveling exhibition and for elephant riding;
- the documented chronic history of traveling animal exhibitors Animal Welfare Act (AWA) animal violations including escapes, and animal caused injuries;
- the lack of effective enforcement to ensure compliance of the existing federal laws;
- elephant's status as a federally protected species under the Endangered Species Act (ESA) - Asian elephants (Endangered Species) and African Elephants (Threatened) and that they are

afforded full protection under the ESA, which includes prohibition on “take” which includes to “harm, harass, or wound” a listed species. Being captive does not diminish their protections under the ESA in any way; and

- the general lack of public notification and awareness of serious risks involved with direct contact with an elephant, the right for the public to know that a high-powered rifle may be used by circus employees if an elephant panics or runs amok while being ridden, or incidentally handled, or about the risk of cross species transmission of communicable disease transmission such as TB.

Public Safety Risk (Escapes, Death, Injury, and Disease)

There are serious public safety concerns regarding the exhibition and direct public contact with wild dangerous animals like elephants. These risks are largely unknown to the general public. People are putting themselves and their children in harm’s way by being in direct contact with elephants or on an elephant’s back. The USDA warns, “[Y]ou always put yourself at risk when you go near an elephant, no matter how good the trainer/handler and elephant appear to be.”. They are wild dangerous animals who have been subjected to extreme physical coercion and are controlled through physical threats and intimidation. There is no requirement by the USDA for the public to be notified of the risk of bodily harm, death, or the potential to contract serious diseases such as tuberculosis (TB). It is impossible to predict when wild exotic animals controlled through threats and intimidation will reach a breaking point and snap, lash out and or run amok.

History of Elephants caused Injuries and Deaths in the United States

In the United States elephants have killed 20 people in the United States since 1987, and seriously injured more than 140. Documented incidents of elephant caused injuries and deaths in North America demonstrate elephants are among the most dangerous captive wild exotic species. The threat is exacerbated by the nature of their captivity and the extreme physical coercion used to force them to perform rides or tricks. Most of these incidents were caused by elephant in their late 20s or older, illustrating the number of years being exhibited is no indication of safety, instead the prolonged exposure to stress, severe confinement, physical punishment, osteoarthritis may make them even more unpredictable and dangerous.

Examining a few of these incidents gives a realistic perspective of the public safety risk and demonstrates the insufficiency of regulatory requirements to protect the public from such incidents in the future.

- In 1992, in Palm Bay Florida, and elephant named Janet (aka Kelly) without warning snapped with a mother and five children on her back. The incident was videotaped and the full force of her strength and the inability of handlers to regain control of her is obvious. She quickly and easily destroyed the metal structures used for riders to climb on her back. In her desperation to escape, she bolted out into the parking lot with the family still on her back. Ultimately, 12 people were injured, and the family was able to be pulled off her back, before she was repeatedly shot to death by police. She remained panicked on her feet even after being shot many times in front of traumatized children and was eventually killed by armor piercing bullets. (Video of the incident can be viewed at <https://youtu.be/THJrEKPeCFM>)

- In 1994 in Utah, an elephant named Sue was giving children rides when her handler accidentally bumped into her. That triggered a violent reaction from the elephant picking the handler up, throwing him to the ground and stepping on him leaving him in critical condition. The children were not injured.
- In 2006 in Massachusetts, an elephant named Minnie, with Connecticut based R.W. Commerford & Sons traveling petting zoo for elephant riding, merely bumped into a man placing children on her back for rides, but the force was sufficient to break his arm.
- In 2009 in Indiana, an elephant exhibited for the Murat Shrine Circus, became frightened ran into a mobile platform used to climb on the elephant for riding, causing it to collapse and injuring some children.
- In 2013, at Tarzan Zebrine Circus home facility at Two Tails Ranch in Williston Florida, a woman tried to get a selfie with Rajah, a 13,000-pound elephant, and was slammed into his enclosure obtaining severe internal injuries and nearly died.
- In March, 2021, a guest was seriously injured by an elephant during a paid encounter at Carson and Barnes home facility co located with Endangered Ark in Hugo Oklahoma.

These incidents happen again and again, illustrating the absolute fallacy of any handler, no matter how experienced actually being able to “control” an elephant when it is frightened, angry, panicked or just snaps. Because of their large size and strength, even accidental movements by elephants can result in serious injury or death.

And it is not just elephants putting the public at risk. In mid-September, 2018, at the Shrine circus at the PPG Paints arena in Pittsburgh, Pennsylvania, a camel used for riding panicked and was unable to be controlled by circus employees resulting in injuries to one adult and six children, including breaking a child’s arm. The news reporting of this incident can be viewed here <https://youtu.be/7PLbwYHOjug>. Now consider the life-threatening risk the public is being exposed to when elephants are being similarly used. These incidents happen again and again.

Nearly 20 percent of the Asian elephants in the U.S. have been identified as being tuberculosis (TB) positive. The variety of TB elephants carry is cross-species transmissible from elephants to humans. Carson & Barnes elephants have repeatedly tested positive for TB. In 2014, one of their traveling elephants, Isla, tested positive for TB, and in 2015 another elephant in their care died and was confirmed to have TB during necropsy. You should be aware that currently there is **no requirement for TB testing** in elephants by the USDA. Also, there is no requirement by either the USDA or state or local governments for the public to be notified of the risk of bodily harm, death, or the potential to contract serious diseases, such as tuberculosis (TB).

Chronic Animal Welfare Violations, Compromised Welfare and Abuse.

Every traveling exhibitor has a long history of chronic AWA violations. Every single one. Many have numerous repeated serious violations that affect both the health safety and welfare of the elephants AND the put the public at risk. Below is a sample case featuring one example of a traveling exhibitor with elephants and other wild exotic animals.

CASE STUDY: Carson & Barnes Circus (USDA APHIS License No. 73-C-0001). Carson & Barnes Circus and their elephant handlers have a long-documented history of violations of the Animal Welfare Acts' minimum standards of care, escapes, and elephant caused injuries. They exhibit their elephants under their own name Carson & Barnes Circus, but also sub contract to other circuses and provide traveling animal acts to Shrine Circuses across the US. The USDA has cited Carson & Barnes Circus for many repeated violations including but not limited to:

- Failure to provide adequate veterinary care;
- Failure to adequately supervise elephants;
- Failure to provide adequate barriers to protect the public and contain animals;
- Failure to provide meet minimum space requirements for animals;
- Failure to maintain safe transport trailers as means of conveyance;
- Failure to provide shelter from the elements;
- Failure to store food and water in a manner to prevent risk of contamination;
- Failure to provide safe enclosures for animals; and
- Failure to maintain animal records

In 2016, Carson & Barnes was ordered to pay a \$16,000 penalty to settle a federal administrative lawsuit brought by USDA for two separate incidences involving elephant escapes. In one instance, three elephants became frightened by audience noise, escaped a performance venue, and ran amok for nearly an hour, damaging the venue and cars in the parking lot. In June 2017, Carson & Barnes was **AGAIN** cited by USDA for another elephant escape in Baraboo, Wisconsin. An elephant named Kelly escaped the circus venue, crossed a river and had wandered into a residential neighborhood before her escape was noticed.

Exceptionally concerning is Carson & Barnes' documented history of elephant abuse. Undercover video tape taken by a whistleblower working for Carson & Barnes Circus, shows their Animal Care Director, Timothy Friskier (a.k.a Timothy Frisco) violently beating elephants with a bullhook (sharp pointed object resembling a fire place poker) and using electric shock on elephants (including their anus) during "training" at Carson & Barnes facility. The excited pleasure Timothy Frisco displayed in this video while instructing other elephant handlers in training at Carson & Barnes to, **"... Hurt em, don't touch them, make them scream..."** and plainly stating that this abuse is to be done out of public view is a disturbing but factual demonstration of what happens to these elephants behind the scenes, out of the public eye. The whistleblower's undercover video, taken while working for Carson & Barnes, can be viewed here <https://youtu.be/dhf6bYDJQqs> (WARNING: disturbing images and Timothy Friskier uses foul language throughout this video). In addition, a whistleblower submitted a sworn affidavit to the USDA regarding witnessed mistreatment of elephants AND falsification of samples for TB.

All the elephants currently touring with Carson and Barnes or hired by various Shrine circuses exhibit extreme "stereotypic" behavior - abnormal elephant behavior- causing rocking, swaying, and bobbing their heads, all behaviors that indicate severe stress and discomfort brought on by the nature and conditions of their aggressive travel schedule, exhibition, abusive handling and confinement. In 2018 while contracting with Garden Brothers Circus, Carson & Barnes elephants were reported to have been

exhibited in **280 cities with travel of 50-60 thousand miles** (see <https://www.10tv.com/article/bbb-urges-parents-do-their-research-free-circus-tickets>)

The risk to the elephants and the public isn't limited to the exhibition venue. The animals spend the majority of each year on the road confined to their transport vehicles. As one example, on January 25, 2018, the Associated Press reported that while en route from Oklahoma to an exhibition in Iowa, the floor of a semi-trailer fell down and was dragging the pavement in which 4 Carson & Barnes elephants were being hauled. According to that state Highway Patrol, "The floor of the trailer was dragging on the road, sparking grass fires along the way." (See news link for full article <https://www.apnews.com/d1908443d65e4dd3ac68e5e0f9d8d4b4>)

No Life for an Elephant: Published Scientific Data Proves Compromised Elephant Health and Welfare: *Conditions of captivity, exhibition and the physically abusive negative reinforcement used to "free contact" handle elephants during riding negatively affect the elephant's health and welfare.*

When not held captive and exploited in traveling animal acts, elephants are highly social, tactile, vocal creatures who spend a tremendous amount of time in physical and verbal contact with one another, traveling great distances across open land daily. Keeping elephants confined to a very small space or tightly chained where physical movement is severely limited, where natural behaviors are prevented and where they are forced to stand on hard joint damaging surfaces such as concrete or asphalt, is abusive and results in both psychological (stereotypic repetitive neurotic behavior) and physical damage (osteoarthritis and foot disease). The techniques used to force elephants to perform tricks or submit to riding are well documented, severe, abusive and ongoing as long as the elephant is being exhibited and free handled. Captive elephants are often observed engaging in abnormal stereotypic behavior, rocking and swaying back and forth to try to cope with the stress, confinement, chaining, the constant threat of physical punishment and abuse used to force them to accept being ridden and performing tricks, poor husbandry practices, and physical discomfort. Stressed traumatized elephants are even more unpredictable and dangerous.

The published peer reviewed scientific data document the many ways travelling exhibition damages elephants physically and mentally and supports the State of Connecticut adopting HB5293.

Elephants are well documented as one of the most highly intelligent, socially and emotionally complex species. They have strong lifelong bonds, long memories, exhibit self-awareness, engage in problem solving, cooperation and planning, tool use and creation, empathy, play, and they perform grieving and funeral rituals for their dead. In the wild, elephant family groups spend the vast majority of their day in the wild moving (up to 30 miles a day) and feeding (14-16 hours a day) in near constant physical contact with family members.

Nearly All elephants currently used in traveling exhibition were wild captured elephants. There is a broad body of published scientific research documenting the trauma and negative impacts of captivity on elephants, from capture, to the conditions of confinement, to the life-long exposure to the physically and psychologically abusive negative reinforcement (aversive) training methods "free contact" handled elephants.

Performing elephants (riding or circus) spend the majority of their time in severe confinement and on the road traveling. Performing elephants are severely confined to their transport vehicle, a small paddock or tightly chained (tethered) on hard joint damaging surfaces (concrete or asphalt), are frequently withheld food and water for long periods of time, have no access to natural browse, prevented from exhibiting highly motivated natural behaviors such as browsing, dusting or mudding, have the added stress of traveling and are under constant threat of physical punishment. Each of these conditions has been documented to negatively impact the health and welfare of captive elephants.

The serious physical and psychological impacts documented in captive elephants include :

- an approximate 40% decreased average life span (average life span in captivity is 40 years vs 70 in the wild);
- increased incidence of life-threatening diseases such as TB and EEHV;
- increased incidence of painful and life-threatening foot diseases such as osteoarthritis;
- lameness;
- obesity;
- infertility;
- stress induced circulatory problems including heart attacks
- and the development of psychological problems (including PTSD);
- depression/ learned helplessness;
- and abnormal stereotypic behaviors (repetitive rocking, pacing, swaying, head bobbing or trunk movements); and
- aggression.

Abnormal stereotypic behavior has never been observed in wild elephant populations, but is frequently observed in elephants and other wild exotic animals used in traveling animal acts and is a clear and well documented and widely recognized indication of compromised welfare.

Physically and Psychologically Abusive Techniques Negatively Impact Elephants Health

Elephant riding, and other forms of “free contact” elephant exhibition for entertainment is predicated on sustained physical abuse, trauma, domination and severe confinement that does scientifically documented harm both to the physical and psychological welfare of elephants.

All captive “free contact” handled elephants are forced to submit to being ridden and perform tricks after enduring a “crush” or breaking period that usually begins beginning at around 2 years of age. For wild captured baby elephants, this breaking was usually done before shipping them overseas to circuses and zoos. (See Figure 1). The “crush” is severe physical domination and coercion, where elephants are isolated, tightly bound (or placed in a crush box) withheld food, water, and sleep, are and savagely beaten with bullhooks, canes and other weapons until they stop trying to escape or resisting completely no matter what is being done to them. It is reported to take a month or more before they give up and stop trying to free themselves. Many wild caught elephants do not survive the trauma of the capture and “the crush”. For those that do the trauma of that early life event can continue to affect their health and welfare for decades (See video of documented the beginning of elephant “crush” https://youtu.be/SVckvi_gWVo). African elephants are forced to submit using the same methods. Captive born elephants in the United States endure very similar spirit breaking beginning at a very young age. (See Figure 2.)

Bullhooks and electric prods are used in the most sensitive areas of the elephant's body, including inside ear and behind the ear, in the mouth, trunk, in the mammary glands, and even in the anus. These punishing techniques are systematic abuse and traumatize the elephant. If these same things were being done to a person, it would be labeled torture. It is systematic torture and abusive and the threat, domination, deprivation and confinement continue throughout the elephant's life. It is simply not possible for this kind of treatment to occur without compromising the elephant's health and welfare.

During public exhibition, the bullhook or ankus is used poke and prod the elephant in sensitive parts of its body as a reminder to do as the handler asks or else there will be painful consequences of not obeying. In effect, the handlers use the elephant's exceptional memory against it. The constant pressure of physical discomfort, threats, confinement, and infliction of pain traumatize the elephant, which ultimately makes it more dangerous and unpredictable.

The notion of handler "control" during free contact handling is no security. The elephant is doing as asked out of fear and any "control" only exists until the second elephant decides otherwise and is more frightened by something else or has just reached a breaking point and cannot tolerate abusive treatment any longer and tries to run away or exhibits aggression. There is no reliable way to predict when or where this will occur, or what may set the elephant off, sometimes even seemingly harmless thing can trigger an unexpected response. With the high number of incidents where people have been injured or killed by elephants, and the FWC posing to continuing to allow full and incidental contact between the public and elephants, it is only a matter of when time before the next dangerous incident will occur.

Abusive treatment negatively impacts the elephant's welfare both physically and mentally and is combined with the added negative impacts of the stressful conditions of exhibition, travel and severe confinement.

FIGURE 1. Asia - Wild Captured Baby Elephant Breaking for Riding and “Free Contact” handling



FIGURE 2. United States –Elephant Breaking for Riding and “Free Contact” handling



The infliction of pain and intimidation, severe confinement, isolation, and abuse continuing throughout their lives. All of the captive elephants currently licensed by FWC were wild caught most will have endured some of the initial breaking in their home countries in Asia and Africa. The particularly grueling conditions of travelling exhibition, being on the road near year round, being severely confined and often chained, spending long hours standing on hard surfaces with little ability to move or lie down, the extremely loud chaotic stressful environment, and prevention of the elephants being able to perform the most basic natural behaviors negatively impacts them both physically and mentally.

Abusive handling, such as hitting with a bullhook or electric prod is known to cause various welfare problems that are the result of chronic stress. This has been verified by observations of enhanced levels of plasma cortisol (a hormone associated with stress) following aversive handling. These stress hormones were documented to be elevated just being in the presence of people who have handled them physical punishment. Plasma cortisol can reach chronic levels causing many of the adverse health

effects. Even mildly aversive handling can have long-term effects if they are sustained, frequent and/or unpredictable, which is true of free contact handling using a bullhook to 'cue' elephants during elephant rides or exhibitions.

Several professional elephant handlers have testified about the common use of physical punishment is a in traditional elephant management in "free contact" zoos and circuses. In sworn statements as expert witnesses, Joel Parrott, former Director of the Oakland Zoo, and Tom Rider who is a former employee of Clyde Beatty, Cole Brothers and Ringling Brothers Circuses provided the following comments on elephant training:

Joel Parrott: *"Unfortunately, the training can be severe, using techniques that include prolonged hitting by the elephant handler with clubs, stabbing with the point of the ankus, pitchforks, electricity, electric prods, prolonged chaining and food deprivation"*

Tom Rider: *"When Pete [an elephant] did not perform her act properly, she was taken down to the tent, laid down and five handlers beat her with bull hook (ankus)...They [the elephants] were beaten all the time when they did not perform properly."* (U.S. Government June 13, 2000)"

Scott Riddle, of Riddles Elephant & Wildlife Sanctuary in Arkansas, formerly the only place in the US to hold "free contact" elephant training courses, stated that "if I need to hit an elephant, I'll hit it". During one of his training courses he was video recorded stabbing the elephant in the trunk with the bullhook so hard it created a puncture wound, and by the fourth day of training the elephants trunk had 18 puncture wounds.

Please bring this abuse to an end in Connecticut and support HB 5293. Traveling exhibition is no life for an elephant or any wild animal. Communities across the country and around the world are choosing to enact legislation like HB5293 to protect elephants and other wild exotic animals from the inhumane abusive life on the road and protect the public from the risks of injury, death, or disease transmission from exposure to wild dangerous animals.

Please contact me if I can answer any questions or provide additional information including copies of USDA documented violations, additional video tape evidence or just providing you the contact information for you to obtain the information directly from the regulatory agencies. I can be reached by phone at 603-969-1758.

Sincerely,



Save Nosey Now, Inc.
President